

examine claims 13 and 44-47 with the other pending claims. Accordingly, reconsideration and withdrawal of the restriction requirement are requested.

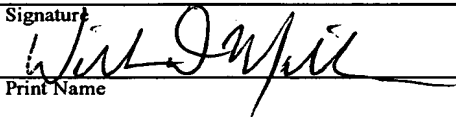
Applicants further traverse the Examiner's rejection of claims 1-9 and 14 under 35 U.S.C. §103. The office action essentially repeats the previous rejection, asserting that the description of the '949 patent at column 3, lines 38-55 teaches that it may be desirable to incorporate coloring agents, such as dyes into one or more of the individual layers of the birefringent polarizer in order to permit selective absorption of certain wavelengths so as to control the band width of the reflected polarized light and the wavelength of transmitted light. The office action further states that such a teaching "obviously serves as an absorbing polarizer." Such an assertion is not correct. The present claims specifically recite that an absorbing polarizer is disposed to "substantially absorb light of a first polarization state and to substantially transmit light of the second polarization state." It is noted that the dyes described in Schrenk are not polarizing dyes. The cited portion of the '949 patent neither teaches nor suggests dyes that would have the function of substantially absorbing light of one polarization state while transmitting light of a different polarization state. The reference also fails to teach or suggest any way to make an absorbing polarizer.

The office action further argues that it would have been obvious or within the level of ordinary skill in the art to adjust or tailor the degree of absorption in order to meet the user's specification. The Examiner concludes that such an adjustment is nothing more than "discovering the optimum or workable ranges" of the system. Such an extension of the teachings of Schrenk is wholly unwarranted. Schrenk provides no discussion or teaching of using a polarizing dye. If one were to adjust or tailor the degree of absorption of the types of dyes described in Schrenk, at most one would change the color or level of absorption at particular wavelengths. There is no teaching or suggestion to use a dichroic dye that selectively transmits and absorbs different polarization states.

In view of the above, Applicants respectfully submit that the Schrenk reference neither teaches nor suggests the presently claimed invention. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested and an indication of allowance is earnestly solicited.

Respectfully submitted,

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